

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

OSMOSE, INC.,	X	
	:	
	:	
Plaintiff,	:	
	:	
	:	C.A. No. 2:10 cv 108-JBF/FBS
	:	
v.	:	
	:	
	:	
ARCH CHEMICALS, INC.,	:	
ARCH WOOD PROTECTION, INC.,	:	
ARCH TREATMENT TECHNOLOGIES, INC.,	:	
COX INDUSTRIES, INC.,	:	
ROCKY TOP BUILDING PRODUCTS, INC., and	:	
MADISON WOOD PRESERVERS, INC.,	:	
	:	
Defendants.	:	
	:	
	X	

ARCH CHEMICALS, INC., ARCH WOOD PROTECTION, INC.,
AND ARCH TREATMENT TECHNOLOGIES, INC.'S
MOTION TO ENFORCE SETTLEMENT AGREEMENT

The Arch defendants, for themselves and on behalf of all defendants, hereby move this Court to enforce the settlement agreement and corresponding license entered into between Arch Chemicals, Inc. (on behalf of all Arch defendants) and Osmose, Inc. ("Osmose"). Because Arch Chemicals, Inc. and Osmose agreed to all terms material to the settlement and subsequent license, a binding contract exists. This Court can and should use its equity powers to enforce that agreement and to prevent Osmose from backing out of its obligations.

As explained more fully in the accompanying brief, Arch Chemicals, Inc. and Osmose agreed to settle the instant dispute, including by agreeing to a license with a set price, time, and

scope. Because a complete agreement exists with sufficiently definite terms, this Court properly should enforce the agreement and order the prompt dismissal of this action.

Respectfully submitted this 16th day of June, 2010

/s/

Conrad M. Shumadine

VSB No. 4325

Counsel for Defendants Arch Chemicals, Inc., Arch Wood Protection, Inc., Arch Treatment Technologies, Inc., Cox Industries, Inc., Rocky Top Building Products, Inc., and Madison Wood Preservers, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2010 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to:

Robert J. Koch, Esquire
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To the best of my knowledge, there are no other attorneys who require service by U.S. Mail.

/s/

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